

**5511. Adulteration of oats. U. S. \* \* \* v. 63,150 Pounds (1,973.14 Bushels) of Oats. Product ordered released on bond. (F. & D. No. 308-c. I. S. No. 9429-1.)**

On May 15, 1916, the United States attorney for the Western District of Virginia, acting upon a report by the Dairy and Food Commissioner of Virginia, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 63,150 pounds (1,973.14 bushels) of oats, alleging that the article had been shipped on April 17, 1916, by Adolph Kempner & Co., Chicago, Ill., and transported from the State of Illinois into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the article was adulterated in that oats, burned and charred, and which had lost all nutritive properties, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality.

On July 10, 1916, Adolph Kempner & Co., claimant, having paid the costs of the proceedings and executed a bond, in conformity with section 10 of the act, it was ordered by the court that the product should be delivered to said claimant.

**CARL VROOMAN, *Acting Secretary of Agriculture.***